

09/909,474

01017/36524A

I. Preliminary Remarks and Amendments

Claims 1, 4-5, 8-10, 12-37, and 39-76 are currently pending. Claims 1, 4-5, 8, 10, 53-55, 68-69, and 75-76 are under examination. Pursuant to a telephonic interview with the Examiner on September 14, 2004, for which the Applicants are grateful, the Examiner indicated that claims 1, 4-5, 8, 10, 53-55, 68-69, and 75-76 are in condition for allowance. Pursuant to a second telephonic interview on September 15, 2004, the Examiner further indicated that withdrawn claims of similar scope to the claims in condition for allowance, drawn to methods of making or methods of using the DNA recited in the above-noted claims in condition for allowance, would be considered by the Examiner. Accordingly, withdrawn claims 62, 70, and 71 were amended in an amendment filed September 16, 2004. In a subsequent telephonic interview on November 3, 2004, the Examiner requested additional amendments to claims 1, 62, 70, and 71 to place them in condition for allowance. Claims 1, 62, 70, and 71 are amended herein in accordance with the Examiner's request. The Applicants respectfully request entry of the amendments to claims 1, 62, 70, and 71. The Applicants further request that withdrawn claims 72 and 73, dependent on amended claims 70 and 71, be rejoined and allowed.

Support for the amendments to the claims is found throughout the specification. Accordingly, the amendments do not include new matter. Also, "an h2520-59 polypeptide" is defined throughout the specification, and specifically at page 14, lines 4-10. The Applicants do not intend by these or any other amendments to abandon the subject matter of claims previously presented, and reserve the right to pursue such subject matter in duly filed continuing patent applications.

The present amendment is not being filed in response to an Office action and, therefore, no fees are believed due. Should the Patent Office determine that a fee is properly due for consideration of this amendment, however, the Patent Office is hereby authorized to charge that fee to Deposit Account 13-2855. A copy of this paper is enclosed.

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CONCLUSION

The Applicants respectfully request entry of the present amendment and submit that claims 1, 4-5, 8, 10, 53-55, 62, 68-69, 70-73, and 75-76, as amended, are in condition for allowance. Expedited notification thereof is respectfully requested.

Respectfully submitted,
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November 18, 2004

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CONCLUSION

The Applicants respectfully request entry of the present amendment and submit that claims 1, 4-5, 8, 10, 53-55, 62, 68-69, 70-73, and 75-76, as amended, are in condition for allowance. Expedited notification thereof is respectfully requested.

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